IN RE: PETITION FOR ZONING VARIANCE S/S Eastridge Garth, 951+/-T of Fastridge Road (203 Eastridge Carth) 8th Councilmanic District

* BEFORE THE * DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY

4th Councilmanic District * Case No. 89-547-A Bruce E. Copeland, et ux Petitioners

* * * * * * * * * *

PINDINGS OF FAC: AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 5 feet in lieu of the required 8 feet for a proposed family room addition in accordance with Petitioner's Exhibit 1.

The Petitioners, by Rebecca L. Copeland, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 203 Eastridge Garth, consists of .2 acres zoned D.R. 3.5 and is improved with a single family dwelling and detached garage. Petitioners propose constructing a 22' x 15' family room addition on the west side of the existing dwelling to provide more living space. Testimony indicated that due to the layout of the existing dwelling and its location on the lot, the proposed site for the addition is the most feasible location. Further estimony indicated that the neighbors on the affected side of the requested variance have no objections to the proposed addition. Petitioner testified the requested variance will not result in any detriment to the health, safety or general welfare of the surrounding community.

> Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.)

and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this Lag ag of July, 1989 that the Petition for Zoning Variance to permit a side yard setback of 5 feet in lieu of the required 8 feet for a proposed family room addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

> The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reverses, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> > - 2-

I Mustania ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Baltimore Count: Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

July 18, 1989



Mr. & Mrs. Bruce E. Copeland

Timonium, Maryland 21093 RE: PETITION FOR ZONING VARIANCE S/S Eastrid => Garth, 95'+/- E of Eastridge Road (203 Eastr_uge Garth) Sth Election District - 4th Councilmanic District Bruce E. Copeland, et ux - Petitioners

Dear Mr. & Mrs. Copeland:

Case No. 89-547-A

203 Eastridge Garth

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours, 1 Minhouse ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

AMN:bjs

cc: People's Counsel

File

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

Variance from Section == 1862-3-8-{2-11-3}------To-allow-a-side-yard-setback------- of 5-ft- in-lieu of the required 8 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Requesting zoning variance of 5' in lieu of 3' from new addition to property line. Proposed family room addition would be the narrow to serve living purposes at current of zoning requirement. Not feasible to build addition on any other part of house or to build a second story to house. Family room must be attached at west end of house as living area is at west end of nouse.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm. under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser: ____ Bruco E. Copoland (Type or Print Name) (Type or Print Name) Bries & Copilard Signature Rebecca L. Capeland (Type or Print Name) Telecca st City and State Attorney for Petitioner: ._____ (Type or Print Name) Pimonium, Manuland ala 3 Name, address and phone number of legal owner, con-----tract purchaser or representative to be contacted Address

....... City and State Attorney's Telephone No.: -----ORDERED By The Zoning Commissioner of Baltimore County, this

Zoning Commissioner of Baltimore County

413

ZONING DESCRIPTION

Beginning on the south side of Eastridge Garth being Lot 8 Block B Precinct 6 District 8 in the subdivision of Eastridge Garth Liber 28 Folio 28 also known as 203 Eastridge Garth. West edge of property begins 120.19' from center of Eastridge

1 1989 at 2:00 p.m.

in the event that this Petition

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on June 15, 19 89

Publisher

CERTIFICATE OF PUBLICATION

TOWSON, MD., JUNE 15 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on June 15, 19 89.

THE JEFFERSONIAN,

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a

Petition for Zoning Variance

Variance: to allow a side yard setback of 5 ft. in lieu of the re-quired 8 ft. In the event that this Patition is

granted, a building permit may be issued within the thirty (30) day

appeal period. The Zoning Com-missioner will, however, entertain any request for a stay of the is-suance of said permit during this

period for good cause shown Such request must be in writing

and received in this office by the date of the hearing set above or

Number of Signs: ____

J. ROBERT HAINES

presented at the hearing.

JT/6/238 June 15.

89-547- A CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

VT6	Date of Posting 1/73/99
District 974	
Posted for: - 1/01/07/50	+ u v
Petitioner: - Control of Control	01/10-1-4
Location of property: Office for the	
Location of Signs: Focising Fostinds	Corth ppour 20 Fr
Location of Signs: Focising for 171052	2 titioner
	Date of return: 6/23/79
Posted by Signature	Date of return.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

Mr. & Mrs. Bruce E. Copeland 203 Eastridge Garth Timonium, Maryland 21093

Re: Petition for Zoning Variance CASE NUMBER: 89-547-A SS Eastridge Garth, 95't E of Eastridge Road 203 Eastridge Garth 8th Election District - 4th Councilmanic Petitioner(s): Bruce E. Copeland, et ux HEARING SCHEDULED: TUESDAY, JUL. 11, 1989 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$ 105.53 is due for advertising and posting of the above referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the time it is posted by this office unit1 the day of the hearing.

Nate: 6 20 89

THIS FEE MOST BE PAID AND THE ZORING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE

Please make your check payable to Baltimore County, Maryland and bring it along with the sign and post set(s) to the Zoning Office, County Office Building, Room III, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE-REVENUE DIVISION AISCELLANEOUS CASH RECEIPT	No. 037977	
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AMOUNT_\$	11.5.53	Stare
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OR: P+ A	89-547-A	

Bill servering starting

and the second s

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

Dennis F. Rasmussen

NOTICE OF HEARING

May 31, 1989



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111

W. Chesapeake Avenue in Towson, Maryland as follows: Petition for Zoning Variance CASE NUMBER: 89-547-A

SS Eastridge Garth, 95'± E of Eastridge Road 203 Eastridge Garth 8th Election District - 4th Councilmanic Petitioner(s): Bruce E. Copeland, et ux

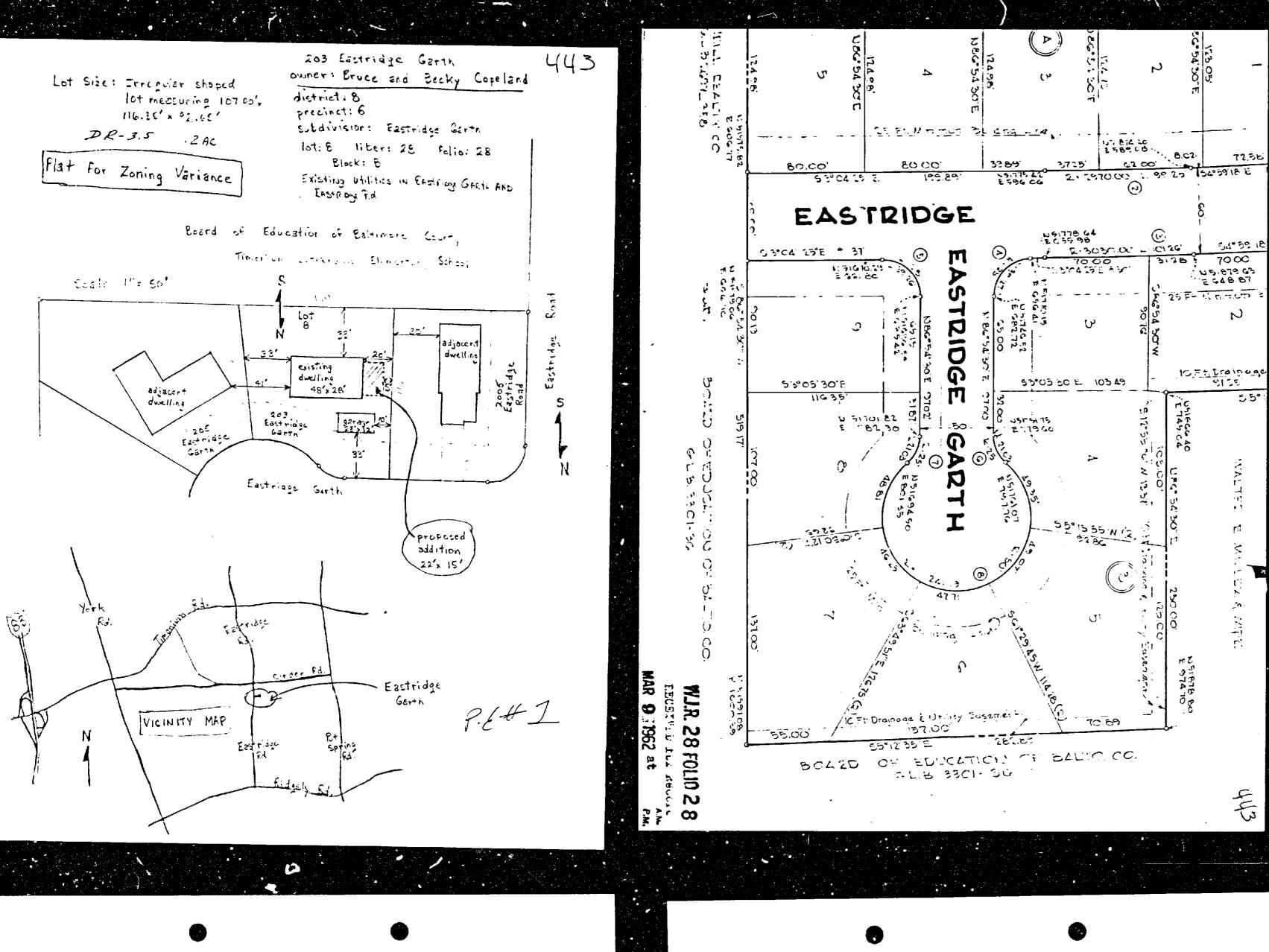
HEARING SCHEDULED: TUESDAY, JULY 11, 1989 at 2:00 p.m.

Variance: To allow a side yard setback of 5 ft. in lieu of the required 8 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

cc: File



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chasapeake Ave. Towson, Haryland 21204

Department of Traffic Engineering

Bureau of Fire Prevention

Health Department

Building Department

Board of Education Zoning Administration

Industrial

Project Planning

State Roads Commission

Mr. & Mrs. Bruce E. Copeland 203 Eastridge Garth Timonium, MD 21093

RE: Item No. 443, Case No. 89-547-A Petitioner: Bruce E. Copeland, et ux Petition for Zoning Variance Norray of Dear Mr. & Mrs. Copeland:

> The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested

June 22, 1939

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

JAMES E. DYER DELLE Chairman

DATE: June 23, 1989

Zoning Plans Advisory Committee

Enclosures

JED:jw

Baltimore County
Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

April 25, 1989



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, MD 21204

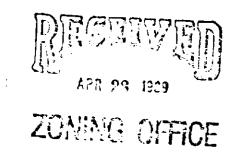
Dear Mr. Haines

The Bureau of Traffic Engineering has no comments for items number 424, 425, 426, 427, 428, 429, 430, 431, 432, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 445, 447, and 448.

Very truly yours,

Traffic Engineer Assoc. II

MSF/lab



Baitimore County Fire Department 800 York Road Towson, Maryland 21204-2586 (301) 887-4500 Paul H. Reincke

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Dennis F. Rasmussen County Executive

RE: Property Owner: Bruce E. Copeland, et ux

Location: SS Eastridge Garth, 95' E of Eastridge Road (#203 Eastridge Garth)

Item No.: 443

Gentlemen:

Zoning Agenda: April 25, 1989

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Special Inspection Division

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 17, 1989

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for April 25, 1989

The Developers Engineering Division has reviewed the zoning items for the subject meeting and we have no comments for Items 424, 425, 427, 428, 429, 430, 431, 432, 435, 437, 439, 440, 441, 442, 443, 444, 445, 447, and 448. Comments are attached for Items 426, 434, 436, 438 and

ROBERT W. BOWLING, P.E., Chief Developers Engineering Division

RWB:s

Encls.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines Zoning Commissioner

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case No. 89-547-A Item No. 443

Re: Bruce E. Copeland. et ux

The Petitioners request a variance to allow a side yard setback of 5 feet in lieu of the required 8 feet. In reference to this request, staff offers no comment.

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89-547-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this <u>26th</u> day of <u>April</u>, 19 89.

ZONING COMMISSIONER

Petitioner's Attorney

Chairman, Zoning Plans
Advisory Committee